

#3



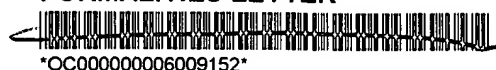
## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/777,018	02/05/2001	Hall	5236-000215

CONFIRMATION NO. 5479

## FORMALITIES LETTER



\*OC000000006009152\*

Harness, Dickey & Pierce  
Suite 400  
7700 Bonhomme  
St. Louis, MO 63105

Date Mailed: 04/26/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- o Total additional claim fee(s) for this application is \$348.
  - \$108 for 6 total claims over 20.
  - \$240 for 3 independent claims over 3 .
- o The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- o **The balance due by applicant is \$ 1188.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- o Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

07/16/2001 KZE/DIE 00000000 09777010

355.00 00  
120.00 00  
54.00 00  
65.00 00

01 FC:201  
02 FC:202  
03 FC:203

04 FC:205

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*A copy of this notice MUST be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



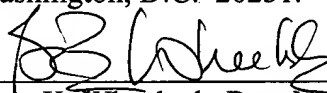
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PATENT  
5236-000215

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING UNDER 37 CFR §1.10

I hereby certify that this correspondence and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this 16<sup>th</sup> day of JULY, 2001 in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231.

  
Bryan K. Wheelock, Reg. No. 31,441

In re the Application of: Hastings et al. :

Serial No.: 09/777,018 :

Filed: February 5, 2001 :

For: Magnetically Guided Atherectomy :

BOX MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

LETTER TO THE PATENT AND TRADEMARK OFFICE

Sir:

In response to the Notice of File Missing Parts of Nonprovisional Application, Filing Date Granted, dated April 26, 2001, a copy of which is attached, enclosed please find the following:

1. There is a fee owing of \$649.00 for the filing fee, surcharge and one month extension of time. Please debit our deposit account 08-0750 for this amount. A copy of this letter is attached for this purpose;
2. Combined Declaration and Power of Attorney (3 pages);
3. One Month Extension of Time

4. Fee Transmittal (in duplicate).

Please file said Declaration and Power of Attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bryan K. Wheelock", written over a horizontal line.

Bryan K. Wheelock

Reg. No. 31,441

Harness, Dickey & Pierce, P.L.C.

7700 Bonhomme, Suite 400

St. Louis, Missouri 63105

(314) 726-7500

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number 09/777,018

Filing Date February 5, 2001

First Named Inventor Hastings et al.

Examiner Name

Group / Art Unit

Attorney Docket No. 5236-000215

TOTAL AMOUNT OF PAYMENT (\$) 649

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

Harness, Dickey & Pierce, P.L.C.

Deposit  
Account  
Name

08-0750

☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	355
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$ 355)

### 2. EXTRA CLAIM FEES

Total Claims	26	-20	=	Extra Claims 6	X	Fee from below 9	=	Fee Paid 54
Independent Claims	6	-3	=	3	X	40	=	120
Multiple Dependent					X		=	0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 174)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	55
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

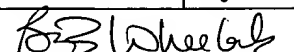
\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 120)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Bryan K. Wheelock	Registration No. Attorney/Agent)	31,441	Telephone	314-728-7500
Signature				Date	10 JULY 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.